FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL REVISION APPLICATION NO.347 OF 2002

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Deepak Chitnis i/by Deepak Chitnis-Chiparikar & Co. for the applicants.

Mr.Hasmukh Daniwalla for Respondent no.1.

Mr.P.S.Hingorani APP for the State.

Coram : R.S.Mohite,J

Date : 20.02.2006.

PC

1. This revision application is against the conviction under Section 138 of N.I.Act which has been upheld by the Sessions Court. Both the parties have made a joint application for compounding the offence. This application dated 20.2.2006 is signed by the accused and the complainant as well as their Advocates. In view of this application which is taken on record and marked "X" for identification, the offence under

Section 138 read with section 141 of the N.I.Act is allowed to be compounded. The impugned judgment and order dated 31.10.2000 passed by the Metropolitan Magistrate, 20th Court, Mazgaon, Mumbai convicting the accused in Case No.1486/S/97 as well as the judgment and order passed by the Additional Sessions Judge in Criminal Appeal No.41/2001 on 4.7.2002 are quashed and set aside and the accused are acquitted of the offence. In view of this order, Criminal Revision Application 347/2002 stands disposed of.

(R.S.Mohite,J)

CRIMINAL APPLICATION NO.5 OF 2006

1. This is an application for condonation of delay of 1092 days in taking out an application for restoration of the CRA. As parties have settled the matter

out of Court and desire to file an application for compounding the offence, delay is condoned. Application stands disposed off.

(R.S.Mohite,J)

CRIMINAL APPLICATION NO.4 OF 2006

1. This is an application for recall of the order dated 10.12.2002 passed by this Court dismissing the CRA. As parties have settled their dispute mutually out of court and desire to file a joint application for compounding the offences, in the interest of justice, the application is allowed in terms of prayer clause-(a). Application stands disposed off.

(R.S.Mohite,J)